

# PLANNING COMMISSION MINUTES

May 22, 2002

## CALL TO ORDER:

Chairman Vlad Voytilla called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

## ROLL CALL:

Present were Chairman Vlad Voytilla, Planning Commissioners Gary Bliss, Eric Johansen, Dan Moks and Shannon Pogue. Planning Commissioners Bob Barnard and Bill Young were excused.

Senior Planner John Osterberg, Associate Planner Scott Whyte, Senior Planner Barbara Fryer, Principal Planner Hal Bergsma and Recording Secretary Sandra Pearson represented staff.

The meeting was called to order by Chairman Voytilla, who presented the format for the meeting.

## VISITORS:

Chairman Voytilla asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item.

HENRY KANE stated that agendas are not available on the table, adding that he objects to the notice of appeal to the City Council (APP 2002-0004).

Chairman Voytilla advised Mr. Kane that a stack of agendas is available on the table by the back door.

Mr. Kane referred to the proposed Development Code amendments regarding the cancellation of right of de novo hearing, noting that for two weeks he has been attempting to obtain the record on the appeal in this case that had been transmitted to the Mayor and City Council by Development Services Manager Steven Sparks. Observing that the City Recorder claims not to have possession of this document, he pointed out that the record on appeal identifies ten exhibits that apparently cannot be found in the Planning Office. Emphasizing that he needs a copy of this document to prepare an appeal, he noted that an appellant is entitled to receive any information received by the Mayor and City Council. Stating that he has no desire to embarrass the City of Beaverton or anyone else, he noted that he would

not like to be forced to file a Petition for a Preemptory Writ of Mandamus in an effort to compel the City of Beaverton to produce this document. Concluding, he pointed out that either the document does exist or that references to this document are false.

The Commission had no comments with regard to this issue.

### **STAFF COMMUNICATION:**

On question, staff indicated that there were no communications at this time.

### **OLD BUSINESS:**

Chairman Voytilla opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

### **CONTINUANCES:**

#### **A. SV2002-0001 - SW METZ STREET AND SW 124TH AVENUE STREET VACATION**

*(Continued from May 15, 2002)*

The City of Beaverton is the owner of land, known as Tax Lot 601 that was intended for future street improvements to SW Metz and for extension of SW 124<sup>th</sup> Ave. south of Metz. The City does not need lot 601 for the purpose of streets, and now submits a petition, that includes the consent of property owners in the affected area, of the request for street vacation to dispose of a portion of this property. There is no proposal to vacate or close the 15-foot wide eastern portion of Lot 601, which is currently used for a pedestrian pathway between SW Sussex and Metz St. In addition, there is no proposal to close or change the existing streets of SW Metz and SW 124<sup>th</sup> Avenue.

The portion of the Metz street vacation is approximately 220 feet in length by 6 feet in width, along the south side of Metz Street east of Hall Blvd. The land comprising the 124<sup>th</sup> Ave. vacation extends south of the existing terminus of 124<sup>th</sup> Ave. at Metz, and is approximately 55 feet in length by approximately 35 feet in width. The vacated area of lot 601 would not abut Tax Lot 500. The area of excess property not needed for future improvements to Metz St. and 124<sup>th</sup> Ave., which is the subject of this vacation request, is approximately 3,100 square feet. The proposed Street Vacation is located south of Metz Street, west of SW 124<sup>th</sup> Ave.; Washington County Assessor's Map 1S1-22BC on Tax Lot 601. The property is zoned Urban High Density (R-1) and overall is approximately 0.15

1 acres in size. Further information may be obtained by contacting the Development  
2 Services Division at 503-526-2348.

3  
4 Senior Planner John Osterberg requested an indefinite continuance of this  
5 application, pointing out that with this particular procedure for a Street Vacation,  
6 State law requires the consent of two thirds of the owners of properties in the  
7 affected area of the Street Vacation. Observing that two of these property owners  
8 have recently submitted requests to withdraw their consent with regard to this  
9 proposal, he pointed out that the City of Beaverton, who is the applicant, no  
10 longer has the consent of two thirds of the affected property owners. He pointed  
11 out that it is possible that the City Council may take action to address this issue  
12 through another method that is available for Street Vacations, adding that this  
13 method would not involve the Planning Commission.

14  
15 Commissioner Pogue **MOVED** and Commissioner Maks **SECONDED** a motion  
16 that SV 2002-0001 – SW Metz Street and SW 124<sup>th</sup> Avenue Street Vacation be  
17 continued indefinitely.

18  
19 Motion **CARRIED**, unanimously.

20  
21 **NEW BUSINESS:**

22  
23 **PUBLIC HEARINGS:**

24  
25 **A. CUP 2002-0001 -- WASHINGTON COUNTY SHERIFFS, ELECTIONS**  
26 **AND JUSTICE COURT BUILDING**

27 The applicant, Washington County, requests Conditional Use Permit (CUP)  
28 approval to convert the office use of an existing building located at 3700 SW  
29 Murray Boulevard for public use. The building and subject property are generally  
30 located east of SW Murray Boulevard and south of SW Millikan Way located on  
31 Assessor's Map 1S1-09CC, on Tax Lot 4600. The site is zoned Station  
32 Community-Multiple Use (SC-MU) and is approximately 2.43 acres. Within the  
33 SC-MU zone, public buildings or other structures may be permitted subject to the  
34 approval of a Conditional Use Permit. Section 40.05.15.2.C of the Beaverton  
35 Development Code lists the applicable approval criteria for a Conditional Use  
36 Permit. Washington County seeks a Conditional Use Permit to locate their  
37 Elections Division and Sheriff's Department East Precinct at the above  
38 referenced location. The tenant improvements to that portion of the building that  
39 will be occupied by the Sheriff's Office includes four holding cells intended for a  
40 maximum holding time of four hours. Additional tenant improvements include a  
41 courtroom designed primarily for hearing traffic violations.

42  
43 Chairman Voytilla disclosed that as an employee of the Beaverton School  
44 District, he has been associated with the applicant's representative, *Angelo Eaton*  
45 *& Associates*, adding that he has no conflict of interest and feels capable of  
46 participating in a fair and impartial decision with regard to this application.  
47

1 Commissioners Bliss, Johansen, Pogue and Maks and Chairman Voytilla all  
2 indicated that they had visited the site and had no personal contact with any  
3 individuals with regard to this application.  
4

5 Associate Planner Scott Whyte presented the Staff Report and briefly described  
6 his request for Conditional Use Permit (CUP) approval to allow public use of an  
7 existing office building, adding that no expansion of this building associated with  
8 this request is proposed at this time. Referring to page 6 of the Staff Report, he  
9 discussed the summary description of the proposal providing for the occupation of  
10 the building by the Sheriff's Office, Elections Division and Justice Court of  
11 Washington County. He pointed out that the applicant's narrative provides a full  
12 description of the proposed uses associated with this request, and acknowledged  
13 receipt of a handwritten communication submitted by June Thoreson, dated May  
14 22, 2002, adding that staff had contacted Ms. Thoreson and addressed the  
15 majority of her concerns, which include parking and exhaust issues. He pointed  
16 out that a communication, dated May 2, 2002, was also received from the *Sisters*  
17 *of St. Mary's of Oregon*, observing that this communication objects to the  
18 construction of four holding cells and the courtroom, as proposed, as well as  
19 expressing concern for the safety of the residents of their convent. He discussed  
20 seven proposed Conditions of Approval, which include the installation of an  
21 eight-foot high chain link fence with vertical slats, as requested by Ms. Thoreson.  
22 Concluding, he recommended approval of the application and offered to respond  
23 to questions.  
24

25 Chairman Voytilla requested clarification of the length of time this facility has  
26 been in use and whether the specified improvements have been made.  
27

28 Mr. Whyte estimated that this facility has been in use for approximately six weeks  
29 to two months, adding that while the majority of the tenant improvements have  
30 occurred, the proposed loading dock, which will eliminate approximately seven of  
31 the parking spaces currently existing in the front of the building, has not yet been  
32 constructed. Observing that the Board of Design Review recently approved this  
33 loading dock, he pointed out that this is actually the major physical change that  
34 would result from this proposal. He noted that another change would be made to  
35 the Sally Port, adding that a portion of the area of the existing parking would be  
36 fenced off in order to allow prisoners to be shuttled in and out of the holding cells,  
37 and discussed the fencing and landscaping proposed in conjunction with this  
38 application.  
39

40 Commissioner Maks requested clarification of the permitted hours of operation  
41 for an office building in the SC-MU zoning district.  
42

43 Mr. Whyte informed Commissioner Maks that he would obtain this information.  
44

45 Commissioner Maks stated that an existing use for an office building could  
46 operate on a 24-hour basis at that location. Referring to the issue with regard to

1       how the vehicles park, he pointed out that with an existing use for an office  
2       building could park vehicles however they choose 24-hours per day. He  
3       requested clarification with regard to enforcement of the backing up parking.  
4

5       Mr. Whyte advised Commissioner Maks that this would most likely involve what  
6       he referred to as a “complaint-based” enforcement.  
7

8       Commissioner Maks expressed his opinion that this situation is an enforcement  
9       nightmare.  
10

11       On question, Mr. Whyte informed Commissioner Pogue that this area would  
12       provide parking only for police officers of Washington County, adding that the  
13       applicant would provide more detailed information.  
14

15       Commissioner Maks reiterated that vehicles would be permitted to park in this  
16       manner in any standard office building, adding that it is his understanding that a  
17       courtroom is currently operating at this location.  
18

19       Mr. Whyte observed that the applicant would address this issue further as well.  
20

21       Commissioner Maks questioned the number of parking spaces that would be  
22       available at the facility.  
23

24       Mr. Whyte stated that after completion of the loading dock, a total of 167 parking  
25       spaces would be available at the site.  
26

27       Commissioner Maks requested clarification of staff’s opinion with regard to the  
28       letter that had been submitted by Tri-Met.  
29

30       Mr. Whyte speculated that Tri-Met had most likely noted the proximity of the  
31       facility with regard to the light rail, adding that they had possibly not fully  
32       considered the proposed use, and expressed his opinion that they had responded  
33       more to the location than to the actual use.  
34

35       Commissioner Maks emphasized that he would like to review Tri-Met’s response  
36       with regard to bus service to this facility.  
37

38       Commissioner Johansen referred to the backing in parking, observing that some  
39       cities, notably the City of Eugene, actually issue citations to individuals who  
40       utilize this method of parking.  
41

42       Commissioner Pogue questioned the location of Ms. Thoreson’s residence.  
43

44       Mr. Whyte informed Commissioner Pogue that Ms. Thoreson’s residence is very  
45       visible from the parking lot, adding that it is located directly east of the proposed  
46       location for the Sally Port addition, adding that no vegetation exists on this site.

1 He clarified that Ms. Thoreson has expressed concern with both noise and diesel  
2 fumes, noting that the applicant might suggest an alternate solution to the  
3 proposed Condition of Approval with regard to parking. He observed that Ms.  
4 Thoreson had requested a cement wall similar to those on Murray Boulevard.

5  
6 Mr. Osterberg responded to Commissioner Maks' question with regard to a  
7 possible 24-hour operation at this facility, observing that there are no provisions  
8 within the Development Code that would limit the hours of operation within the  
9 SC-MU zoning district for this particular use.

10  
11 **APPLICANT:**

12  
13 **FRANK ANGELO**, representing *Angelo Eaton and Associates*, on behalf of the  
14 applicant, Washington County, introduced Commander Rick Gordon of the  
15 Washington County Sheriff's Office East Precinct and Washington County  
16 Facilities Manager Larry Eisenberg, adding that they would provide an overview  
17 of the operations of the Sheriff's and Elections Departments proposed at this site.  
18 Observing that this site had been previously located at SW 141<sup>st</sup> Avenue and SW  
19 Millikan Way, he pointed out that the Sheriff's Department, Elections and Justice  
20 Court utilize approximately 70% of the area within the existing building. Noting  
21 that the proposed revisions primarily involve internal tenant improvements, he  
22 mentioned that these improvements have been underway and are coming to a  
23 conclusion. Referring to the proposed exterior improvements, he discussed the  
24 loading dock serving the Elections Offices to be located on the front of the  
25 building, and the Sally Port, which will be constructed in conjunction with the  
26 operations of the Sheriff's Department. He described the parking situation,  
27 observing that 167 spaces would be available following the construction of the  
28 loading dock, expressing his opinion that the proposal meets the City of  
29 Beaverton's standards for parking. He discussed the Traffic Analysis prepared by  
30 Carl Springer of *DKS Associates*, observing that a comparison of the existing uses  
31 with the previous uses had determined that there would be no significant impact  
32 to the transportation system.

33  
34 **LARRY EISENBERG**, Facilities Manager for Washington County, pointed out  
35 that the subject building had been purchased by the County in April 2001, adding  
36 that this purchase had intended to serve two purposes, specifically the necessity of  
37 expanding the Sheriff's Office East Precinct, as well as the County's desire to  
38 expand services onto the east side of Washington County. Observing that this  
39 action would serve to make County services more accessible to the citizens in this  
40 area, he pointed out that this specific location had been in response of the need of  
41 the Sheriff's Office to be centrally located within their service territory for the  
42 Enhanced Sheriff's Patrol District as well as the access and proximity to the light  
43 rail. Pointing out that it is also appropriate that the building is highly visible on  
44 SW Murray Boulevard, he mentioned that as a multi-use office building, there is  
45 also a private sector tenant in the building, specifically a software firm that  
46 occupies half of the third floor, adding that the other half of the third floor is

1 occupied by Washington County's Developmental Disabilities Division of the  
2 Department of Human Services. Observing that the Elections Division occupies  
3 the first floor of the building, he emphasized that none of the elections functions  
4 are remaining in Hillsboro. Noting that the Justice Court basically addresses  
5 traffic-related issues, he mentioned that weddings also occur periodically at that  
6 location. He explained that a series of conference/meeting rooms are available for  
7 the use of the public, adding that these rooms are also available after hours and on  
8 weekends. He noted that the new headquarters of the Vision Action Network, a  
9 non-profit agency that is working to coordinate services between non-profit  
10 organizations, the faith community, Washington County and governmental units,  
11 are also located within this building. Pointing out that the Sheriff's Office East  
12 Precinct occupies the entire ground floor, he noted that the building began serving  
13 the Elections Division in November 2001. Concluding, he noted that Commander  
14 Gordon would describe the proposed functions of the Sheriff's Office, particularly  
15 issues with regard to the holding cells.

16  
17 **COMMANDER RICK GORDON**, representing Washington County Sheriff's  
18 Office East Precinct and Washington County Sheriff Jim Spinden, mentioned that  
19 in December 1994, a smaller precinct had been opened on SW Millikan Way just  
20 east of SW Murray Boulevard, adding that at that time, a precinct operation that  
21 would serve the citizens of Washington County on the east side had been  
22 envisioned. Observing that the size of the original building had not been adequate  
23 for this purpose, he pointed out that this new building has provided an opportunity  
24 to enhance services to the citizens in the northeastern portion of Washington  
25 County. He explained that the Sheriff's Department has shifted to what he  
26 referred to as a geography-based policing model, noting that this model is utilized  
27 by law enforcement agencies throughout the United States. Noting that a great  
28 deal of time had formerly been lost on a daily basis in transporting prisoners to  
29 Hillsboro, he pointed out that this basically resulted in two hours of  
30 nonproductive time for a police officer. He explained that although Washington  
31 County does not patrol the City of Beaverton, they are responsible for all of the  
32 unincorporated areas of the County, adding that this facility serves to allow the  
33 department to provide these services. Pointing out that the facility operates on a  
34 24-hour basis, he mentioned that this includes patrol officers, support staff,  
35 supervisors, management staff and himself. He noted that 16 to 18 patrol vehicles  
36 are available at the site to service the officers out of that location, as well as  
37 detective's vehicles and support vehicles.

38  
39 Mr. Angelo pointed out that Mr. Eisenberg and Commander Gordon had met with  
40 the Sisters of St. Mary's of Oregon to discuss the concerns that had been  
41 mentioned in their letter, requesting that Mr. Eisenberg provide a brief overview  
42 of this discussion.

43  
44 Mr. Eisenberg suggested that Sister Barbara Laughlin be allowed to testify prior  
45 to any response by Washington County.  
46

1 Referring to the proposed Conditions of Approval, Mr. Angelo mentioned that  
2 Condition of Approval No. 4 addresses Ms. Thoreson's request for an eight-foot  
3 chain link fence with vertical slats, adding that the applicant concurs with this  
4 Condition of Approval. He mentioned that the applicant does not agree with  
5 Condition of Approval No. 6, which provides that vehicles shall be parked in a  
6 manner that prohibits backing into the spaces where situated along the east  
7 property line abutting existing residential properties, adding that this is an unusual  
8 Condition of Approval. Observing that there has been ability for individuals to  
9 park in any way they want in this parking lot in the past, he recognized that there  
10 appears to be a perception of impact on the abutting properties, particularly with  
11 the graffiti van and the crash response team van, which are larger vehicles. He  
12 suggested that this Condition of Approval be eliminated, with the understanding  
13 that these two larger vehicles would be parked against the Sally Port, rather than  
14 the property line, adding that it is important for the patrol vehicles to park facing  
15 out in order to provide for a quick response. Concluding, he requested approval  
16 of the application, and offered to respond to questions, pointing out that Carl  
17 Springer from *DKS Associates* and Ted Grund from *MC Architects* are available  
18 to address any traffic and design-related questions.

19  
20 Commissioner Bliss advised Mr. Angelo that it is not true that the fence cannot be  
21 extended into the floodplain.

22  
23 Mr. Angelo informed Commissioner Bliss that City staff has advised the applicant  
24 that they would not be permitted to extend the fence into the floodplain, adding  
25 that staff had been concerned with the possibility that this fence would capture  
26 debris.

27  
28 Referring to the graffiti van and the crash response vehicle, Commissioner Bliss  
29 questioned whether these vehicles are utilized on a daily basis, emphasizing that  
30 the patrol vehicles would be creating pollution for the adjoining property owner,  
31 particularly if backed into the parking space.

32  
33 Commander Gordon stated that both the graffiti van and the crash response  
34 vehicle have been parked in that particular location since the facility opened,  
35 adding that no other vehicles have ever been parked in this specific area. He  
36 pointed out that the fleet does not include any vehicles that operate with diesel at  
37 this location, adding that patrol vehicles have parked to the south of the residence  
38 in question and also some to the north of that location. Observing that these  
39 vehicles are generally backed into parking stalls, he emphasized that they are  
40 generally prepared to respond to incidents.

41  
42 Referring to the area of the Sally Port and the eight-foot security fence,  
43 Commissioner Bliss pointed out that he finds it curious that an eight-foot cyclone  
44 fence enclosure is considered necessary for the restraint of traffic violators.

45



1 Noting that this is not necessarily an accurate observation, Commander Gordon  
2 advised Commissioner Bliss that the individuals who are arrested from this  
3 facility are no different from those who are arrested throughout Washington  
4 County for various types of offenses. He pointed out that an individual arrested  
5 for theft or minor assault would most likely be transported to this location for  
6 their initial processing or an interview, adding that because this is only a short-  
7 term holding facility, this individual would then be transferred to Hillsboro.  
8 Emphasizing that violent offenders are only taken to the Washington County Jail,  
9 he mentioned that any prisoner that poses a safety threat to either an officer or the  
10 public is immediately transferred to the Hillsboro facility, adding that staff that is  
11 able to address such an issue are available at that site. He mentioned that even a  
12 traffic violator who is under arrest for a violation such as driving under the  
13 influence of intoxicants is placed under standard safety restraints.  
14

15 Commissioner Johansen referred to the back in parking issue, suggesting the  
16 possibility of providing a solid cement wall to address noise and pollution  
17 concerns.  
18

19 Commander Gordon expressed concern with creating a situation in which the  
20 parking lot is flooded, adding that this would significantly limit the secure parking  
21 that is available for the patrol vehicles.  
22

23 Commissioner Johansen questioned whether it is safe to assume that those spaces  
24 would have activities occurring on a 24-hour basis.  
25

26 Commander Gordon pointed out that while there may be in and out traffic at that  
27 location on a 24-hour basis, this would be intermittent, involving only one or two  
28 vehicles at a time.  
29

30 Commissioner Johansen expressed concern with a 24-hour operation that includes  
31 parking in a close proximity to residences, adding that he would like to receive  
32 some assurance that the proposed eight-foot chain link fence would be adequate.  
33

34 Mr. Angelo pointed out that a row of arborvitae would be provided between the  
35 fence and the parking lot, adding that these parking spaces existed during the  
36 previous use for the site, and mentioned that this previous use (*Nike*) had the  
37 ability to operate on a 24-hour basis.  
38

39 Commissioner Maks noted that *Protection One* had been located adjacent to this  
40 site, emphasizing that this had involved a 24-hour operation, including vehicular  
41 traffic 24 hours per day. He mentioned that the phone bank system had been  
42 located at this facility, including all of the alarms for the States of Oregon and  
43 Washington.  
44

45 Mr. Angelo observed that when Washington County had initially purchased this  
46 facility, *Nike's* Information Systems Division had still been located in the

1 building, adding that this operated on a 24-hour basis, with multiple trips in and  
2 out of the building to support their needs.

3  
4 Referring to the issue regarding the security of the Sheriff's Department's on-site  
5 holding cells, Commissioner Johansen requested clarification of precautions that  
6 would make certain that this would not create problems for the community.  
7

8 Commander Gordon emphasized that the holding cells are built to the corrections  
9 standards of the State of Oregon, emphasizing that this security is provided to  
10 ensure that no unforeseen incidents do occur. He pointed out that assessments  
11 with regard to the potential for violence are done upon arrival at a call for service,  
12 adding that any suspect that is considered likely to pose a threat to either the  
13 officers or the public would never be transported to this precinct. He clarified that  
14 the suspects that would be in the holding cells at this location would be non-  
15 violent offenders, such as property crimes, fraud suspects, and some driving  
16 violations. He mentioned that every effort is made ahead of time to anticipate and  
17 avoid any situations that could potentially result in violence, adding that the  
18 facility has been designed with these issues in mind.  
19

20 Chairman Voytilla requested clarification with regard to the issue mentioned in  
21 the communication received from *Tri-Met*.  
22

23 Mr. Angelo explained that the applicant is comfortable with the parking, as  
24 proposed, adding that visitors to the site should be able to take advantage of the  
25 close proximity to both the light rail and the bus line. He expressed his opinion  
26 that this communication is basically a standard letter outlining *Tri-Met's* policy in  
27 attempting to reduce the number of parking spaces at any facility located within a  
28 transit area. Observing that although the applicant is appreciative of *Tri-Met's*  
29 comments, the existing and proposed parking for this facility is both adequate and  
30 necessary to serve the uses on the site.  
31

32 Mr. Eisenberg emphasized that while Washington County supports transit-  
33 friendly development and encourages the use of public transportation, the services  
34 provided at this facility require a certain amount of public contact that necessitates  
35 the proposed parking.  
36

37 Chairman Voytilla mentioned that the communication from *Tri-Met* also mentions  
38 the possibility of providing additional amenities for their bus stops.  
39

40 Mr. Angelo advised Chairman Voytilla that the applicant has not discussed any  
41 additional amenities with regard to enhancing the bus stop or any other related  
42 features with *Tri-Met* at this time.  
43

44 On question, Commissioner Maks was advised that the courtroom is operating at  
45 this time.  
46

1 Commissioner Maks requested clarification of where a victim would have to  
2 identify his property if the holding cells were not available.

3  
4 Mr. Angelo informed Commissioner Maks that without the holding cells, a victim  
5 would be forced to drive to 215 SW Adams Street in Hillsboro to identify his  
6 property.

7  
8 Expressing his opinion that the relocation of the Elections Office is a good idea,  
9 Commissioner Maks pointed out that he had heard that there were traffic  
10 problems associated with this facility on Election Day, and requested clarification  
11 of the size and number of these conference rooms.

12  
13 Commander Gordon advised Commissioner Maks that the facility includes four  
14 conference rooms, one of which can hold up to 50 individuals, one that can handle  
15 20 individuals and two that holds ten individuals.

16  
17 Commissioner Maks expressed his opinion that 49 seats is a very small  
18 courtroom.

19  
20 Mr. Eisenberg informed Commissioner Maks that a typical morning courtroom  
21 would involve approximately 40 individuals, adding that a new scheduling policy  
22 has been initiated, creating less massing on a daily basis.

23  
24 Referring to the backing in parking issue, Commissioner Maks questioned  
25 whether most of the vehicles would be arriving and leaving on a shift basis.

26  
27 Commander Gordon agreed, observing that all of the cars in the lot would not be  
28 arriving and leaving at the same time.

29  
30 Commissioner Maks mentioned that in 8½ years, he has seen no evidence with  
31 regard to the effect of these walls on minimizing noise or air pollution, and  
32 questioned whether this data exists.

33  
34 Observing that he is not an air quality expert, Mr. Angelo stated that he has never  
35 seen any data with regard to the effect of walls on minimizing noise or air  
36 pollution.

37  
38 Commissioner Maks pointed out that generally the issue with parking, particularly  
39 with 24-hour operations, involves headlights at night, and requested clarification  
40 of the size of the proposed arborvitae that would be planted between the parking  
41 lot and the adjoining property.

42  
43 Mr. Angelo clarified that the plants would be four to five feet in height at the time  
44 of planting.

45

1 Observing that arborvitae grows quickly, Commissioner Maks expressed his  
2 opinion that this would provide a great hedge.

3  
4 **PUBLIC TESTIMONY:**

5  
6 **SISTER BARBARA LAUGHLIN**, representing the *Sisters of St. Mary of*  
7 *Oregon*, expressed her appreciation for the opportunity to express their concerns.  
8 Observing that a meeting with representatives of the Washington County Sheriff's  
9 Office had addressed their concerns, she withdrew the letter of objection.

10  
11 Mr. Whyte discussed the prohibition from placing a fence within the floodplain  
12 area, and referred to Conditions of Approval recommended by Development  
13 Services Engineer Jim Duggan, adding that he has cited Unified Sewerage  
14 Agency (USA) Resolution No. 2000-0007, which imposes this restriction.  
15 Observing that this proposed chain link would not necessarily inhibit the flow of  
16 water, it could potentially inhibit various debris that is typically associated with a  
17 floodplain.

18  
19 The public portion of the Public Hearing was closed.

20  
21 Commissioner Bliss pointed out that his first concern had been with regard to the  
22 communication from the *Sisters of St. Mary of Oregon* and the Sally Port, adding  
23 that these issues appear to have been addressed. Referring to the parking issue, he  
24 expressed his opinion that this is based more on perception than fact, and pointed  
25 out that he is certain that staff has their reasons with regard to the fence  
26 prohibition. Concluding, he expressed his support of the proposal, adding that he  
27 is willing to consider the elimination of Condition of Approval No. 6.

28  
29 Observing that the application meets applicable criteria, Chairman Voytilla  
30 expressed his opinion that the proposal is a great use and location to provide these  
31 necessary services to the community. Expressing his support of the application,  
32 including the elimination of Condition of Approval No. 6, adding that is necessary  
33 to reduce the response time of these emergency vehicles.

34  
35 Commissioner Maks expressed his support of the application, emphasizing the  
36 necessity of providing these services in this part of Washington County.

37  
38 Commissioner Pogue expressed appreciation to the members of the Washington  
39 County Sheriff's Office for meeting with the *Sisters of St. Mary's of Oregon* to  
40 address their concerns. Expressing his support of both the application and the  
41 back in parking, he pointed out that several seconds in response time could easily  
42 involve a life or death situation.

43  
44 Commissioner Johansen pointed out that although he generally supports the  
45 application, unlike his fellow Commissioners, he disagrees with the proposed  
46 back in parking. Expressing his opinion that an absolute minimum level of

1 screening has been proposed, he emphasized that exhaust is an issue, adding that  
2 he would also support a stronger level of screening.

3  
4 Commissioner Maks **MOVED** and Commissioner Pogue **SECONDED** a motion  
5 to approve CUP 2002-0001 – Washington County Sheriff's, Elections and Justice  
6 Court Building Conditional Use Permit, based upon the testimony, reports and  
7 exhibits, new evidence presented during the Public Hearing on the matter and  
8 upon the background facts, findings and conclusions found in the Staff Report  
9 dated May 15, 2002, including Conditions of Approval Nos. 1 through 7, and  
10 eliminating Condition of Approval No. 6.

11  
12 Motion **CARRIED**, by the following vote:

13  
14 **AYES:** Bliss, Johansen, Maks, Pogue and Voytilla.  
15 **NAYS:** None.  
16 **ABSTAIN:** None.  
17 **ABSENT:** Barnard and Young.

18  
19 8:26 p.m. to 8:33 p.m. – break.

20  
21 **APPROVAL OF MINUTES:**

22  
23 Minutes of the meeting of April 24, 2002, submitted. Commissioner Pogue  
24 **MOVED** and Commissioner Bliss **SECONDED** a motion that the minutes be  
25 approved as written.

26  
27 Motion **CARRIED**, unanimously.

28  
29 **MISCELLANEOUS BUSINESS:**

30  
31 The meeting adjourned at 8:35 p.m.

32  
33 **OLD BUSINESS:**

34  
35 **B. WORK SESSION**

36  
37 **1. SCENIC TREE PROJECT**

38 *(Continued from May 15, 2002)*

39 Discussion regarding the Scenic Tree Inventory data.

40  
41 Reminding the Commissioners that the purpose of this Work Session is to discuss  
42 the Scenic Tree Project, Senior Planner Barbara Fryer explained the steps for this  
43 Goal 5 process, as follows:

44  
45 ?? **Step 1** -- Inventory of the resources, specifically with regard to the  
46 location, quality and quantity of the resource.

- 1            ?? **Step 2** – Identify significance of the resources, presumably to narrow  
2            down the field of resources to only those that are significant.
- 3            ?? **Step 3** – Complete an ESEE Analysis, which specifically identifies the  
4            economic, social, energy and environmental consequences of allowing,  
5            limiting, or prohibiting conflicting uses within the resources.
- 6            ?? **Step 4** – Adopt a program, providing full, partial or no protection of the  
7            individual resources, at which point the Comprehensive Plan would be  
8            amended.

9

10           Ms. Fryer provided a power point presentation illustrating the different types of  
11           resources, observing that there are 406 total resources within the City of  
12           Beaverton that are greater than or equal to average by using the raw score, adding  
13           that this is reduced to 267 total resources for the just greater than average. She  
14           observed that using the weighted scores provides for 396 resources that are  
15           greater than or equal to average, with 338 resources that are just greater than  
16           average, adding that there are a total of 507 resources in tree category. She  
17           introduced Operations Supervisor Steve Brennan, who is a certified arborist for  
18           the Landscape Maintenance Division, adding that he is available to respond to any  
19           questions.

20

21           Chairman Voytilla observed that although Commissioner Barnard had requested  
22           that an arborist attend this Work Session, he is not in attendance at this time.

23

24           Commissioner Maks questioned Mr. Brennan with regard to how he would rate  
25           these tree resources and how many should be considered significant.

26

27           Landscape Maintenance Supervisor Steve Brennan observed that while it is  
28           difficult to comment without actually reviewing what had been inventoried, he  
29           agrees with the criteria that had been utilized for an evaluation of significance.  
30           He pointed out that it is typical to consider species, caliper, location, overall  
31           health, and appearance with regard to the criteria.

32

33           Commissioner Bliss mentioned that Commissioner Barnard is concerned with the  
34           age of a tree resource, requesting clarification of the importance of age with  
35           regard to determining the significance of a tree or grove.

36

37           Mr. Brennan informed Commissioner Bliss that age is generally significant as it  
38           relates to an individual tree, or possibly several trees on a piece of property, more  
39           so than if the resource involves an actual stand of trees, adding that while the  
40           younger trees within a stand of trees are of less value at this time, their value  
41           would increase over time.

42

43           Commissioner Johansen requested clarification of whether it is considered  
44           necessary to maintain a certain amount of diversity within a single species of tree  
45           that exists within the City of Beaverton.

46

1 Mr. Brennan advised Commissioner Johansen that it is preferable to provide for a  
2 certain amount of diversity among the species of trees, adding that this would also  
3 include trees of different ages within the same species.  
4

5 Commissioner Pogue expressed his appreciation to Mr. Brennan, adding that  
6 while he had been involved in the original process, it is good to confirm that the  
7 Commission is on the right track with regard to this evaluation. Expressing his  
8 opinion that age should possibly not even be a consideration with regard to  
9 significance, he pointed out that he is struggling with how to define what is  
10 significant.  
11

12 Mr. Brennan explained that with regard to the significance of an individual tree on  
13 a site, an arborist would consider the trees located on the property due to the  
14 appearance or attributes that provide some sort of value to the site, as well as  
15 whether the parcel would be altered if the tree were removed. He pointed out that  
16 any issue such as property value, overall appearance and neighboring property are  
17 all considered with regard to the significance of a tree, adding that this could also  
18 be applicable with regard to a grove.  
19

20 Commissioner Maks requested clarification of what would be considered  
21 significant with regard to corridors.  
22

23 Mr. Brennan pointed out that with regard to a corridor, consideration should be  
24 given to how connected a corridor is to a neighborhood, as well as the canopy that  
25 is provided.  
26

27 Commissioner Maks expressed his preference for the greater than average  
28 weighted resources, emphasizing that because these resources are being identified  
29 as being significant, he has an issue with including the equal to average resources.  
30

31 Chairman Voytilla pointed out that it should always be possible to demonstrate to  
32 the public why a particular resource had been determined to be significant.  
33

34 Commissioner Johansen observed that the level of protection for these resources  
35 has not yet been addressed.  
36

37 Commissioner Bliss expressed his opinion that the designation of significance  
38 should indicate that a resource stands apart from other resources, adding that a  
39 significant tree or grove should be well above average.  
40

41 Commissioner Pogue requested clarification of weighting the age of a resource.  
42

43 Ms. Fryer explained that the Planning Commission had determined that the older  
44 the tree, the higher the weight, adding that staff would prepare a Comprehensive  
45 Plan Amendment (CPA) based upon the concept of greater than average weighted  
46 in all categories. She pointed out that the Commissioners would receive the

1 inventory overall document plus the determination of significance based upon the  
2 weighted greater than average criteria.

3  
4 Commissioner Maks expressed his appreciation to Mr. Brennan for his input with  
5 regard to the Scenic Tree Project.

6  
7 Chairman Voytilla pointed out that the Commission would basically like to  
8 receive some validation or a reality check from an arborist with regard to action  
9 on the Scenic Tree Project.

10  
11 **MISCELLANEOUS BUSINESS:**

12  
13 Chairman Voytilla discussed the resignation he had received from Alternate  
14 Planning Commissioner Steven Olson, observing that Mr. Olson had been  
15 phenomenally diligent in his attendance and dedication on behalf of the Planning  
16 Commission.

17  
18 Commissioner Johansen requested that a letter of appreciation be prepared and  
19 sent to Mr. Olson.

20  
21 The workshop adjourned at 9:09 p.m.